

AMENDED IN ASSEMBLY APRIL 13, 2009

AMENDED IN ASSEMBLY MARCH 26, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 6

Introduced by Assembly Member Saldana

December 1, 2008

An act to add ~~section~~ *Section* 9023 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 6, as amended, Saldana. Initiatives: paid circulators.

Existing law regulates the process of proposing initiative measures to the people and sets forth qualifications for persons who circulate initiative petitions in the state.

This bill would require a professional petition firm, as defined, that pays petition circulators to gather signatures for state or local ballot initiatives to register with the Secretary of State and pay ~~an unspecified~~ *a registration fee to be established by the Secretary of State*. The bill would require the Secretary of State to use the fees collected to ~~provide mandatory training regarding laws relating to petition circulation to designated officers of each firm. The Secretary of State would also be required to maintain a directory of professional petition firms on its website~~ *Internet Web site, as well as to defray costs associated with these requirements*.

This bill would require ~~an officer~~ *a member* of the firm to brief petition circulators on the relevant law regarding circulation of petitions as a condition of hiring and to submit to the Secretary of State a statement signed by each petition circulator *and the member who conducted the*

briefing that he or she the petition circulator has received the briefing, as well as the training materials provided to the petition circulator in connection with the briefing.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9023 is added to the Elections Code, to
2 read:

3 9023. (a) For purposes of this section, a “professional petition
4 firm” means an entity that pays individuals to circulate petitions
5 and gather signatures for the purpose of qualifying an initiative on
6 a state or local election ballot.

7 (b) A professional petition firm shall register annually with the
8 Secretary of State in order to be eligible to pay individuals to
9 circulate petitions and collect signatures in order to qualify an
10 initiative on a state or local election ballot. Registration shall
11 include the full name, address, and partners, owners, or officers
12 of the firm. This information shall be accompanied by a registration
13 fee of \$___, *fee to be established by the Secretary of State.*

14 ~~(c) Money collected from registration fees shall be used by the~~
15 ~~Secretary of State to develop and conduct a training course that~~
16 ~~covers the relevant law pertaining to signature gathering and a~~
17 ~~designated officer of each professional petition firm shall attend~~
18 ~~the training course. The Secretary of State shall also use registration~~
19 ~~fees to maintain on its Internet Website a directory of professional~~
20 ~~petition firms.~~

21 ~~(d) An officer of the professional petition firm who has~~
22 ~~completed the training course described in subdivision (c) shall~~

23 *(c) The Secretary of State shall use the registration fees to*
24 *maintain on its Internet Web site a directory of professional petition*
25 *firms and to defray any other costs associated with its requirements*
26 *as described in this section.*

27 *(d) A member of a professional petition firm shall review the*
28 *law relating to obtaining petition signatures, including prohibitions,*
29 *with each paid petition circulator, individually or in a group, as a*
30 *condition of their his or her hiring. A copy of the training materials*
31 *provided to the paid circulators shall be submitted by the firm to*
32 *the Secretary of State. A statement, signed by a paid petition*

1 circulator *and the individual who conducted the review*, that ~~they~~
2 ~~have that the paid petition circulator has~~ received the review,
3 required by this subdivision, of the relevant law relating to
4 obtaining petition signatures, shall be submitted by the professional
5 petition firm to the Secretary of State.

6 (e) Nothing in this section shall abridge or restrict the provisions
7 of Section 9021.

O